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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,782	08/22/2003		Keiichiro Kata	069974-0143	8077
22428	7590	05/23/2006		EXAMINER	
FOLEY AN	D LARE	NER LLP	PRENTY, MARK V		
SUITE 500 3000 K STRE	ET NW			ART UNIT	PAPER NUMBER
WASHINGTO		20007	2822		

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)				
	Om 4 // O	10/645,782	KATA ET AL.				
	Office Action Summary	Examiner	Art Unit				
		MARK PRENTY	2822				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with	the correspondence address	P.O.			
WHI(- Exte after - If NO - Failu Any	IORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DAINS on time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Depriod for reply is specified above, the maximum statutory period we are to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing led patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICA 16(a). In no event, however, may a reply rill apply and will expire SIX (6) MONTH: cause the application to become ABAN	TION. be timely filed from the mailing date of this communication S from the Mailing date of this communication S July 1.5.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on 28 Ag	<u>oril 2006</u> .					
2a)⊠	This action is FINAL . 2b) ☐ This	action is non-final.					
3)□							
	closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 1	1, 453 O.G. 213.				
Disposit	ion of Claims						
5)□ 6)⊠ 7)⊠	Claim(s) 3-12,15,16 and 25-32 is/are pending in 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) 3-12,15,16 and 25-32 is/are rejected. Claim(s) 5 is/are objected to. Claim(s) are subject to restriction and/or	vn from consideration.					
Applicati	ion Papers						
9) 10)	The specification is objected to by the Examiner The drawing(s) filed on is/are: a) access Applicant may not request that any objection to the conference of Replacement drawing sheet(s) including the correction of the oath or declaration is objected to by the Examiner.	epted or b) objected to by drawing(s) be held in abeyance. on is required if the drawing(s)	See 37 CFR 1.85(a). is objected to. See 37 CFR 1.12				
Priority (under 35 U.S.C. § 119						
a)l	Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau See the attached detailed Office action for a list of	have been received. have been received in Applity documents have been received in Applity documents have been received (PCT Rule 17.2(a)).	lication No ceived in this National Stage				
	e of References Cited (PTO-892)	4) 🔲 Interview Sum					
3) 🔲 Inforr	e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date		all Date mal Patent Application (PTO-152)				

Application/Control Number: 10/645,782

Art Unit: 2822

This Office Action is in response to the amendment filed on April 28, 2006.

Claim 5 is objected to because "compromises" (line 1) should read, "comprises".

Correction is required.

The applicants have made substantive changes since the supplemental reissue declaration filed on December 28, 2005. Accordingly, the applicants are required to file another supplemental reissue oath/declaration. See MPEP §1414.01.

In accordance with 37 CFR 1.175(b)(1), a supplemental reissue oath/declaration under 37 CFR 1.175(b)(1) must be received before this reissue application can be allowed.

Claims 3-12, 15, 16 and 25-32 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251. See 37 CFR 1.175. The nature of the defect is set forth above.

Receipt of an appropriate supplemental oath/declaration under 37 CFR 1.175(b)(1) will overcome this rejection under 35 U.S.C. 251. An example of acceptable language to be used in the supplemental oath/declaration is as follows:

"Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant."

Applicants can use form PTO/SB/51S.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Registered practitioners can telephone the examiner at (571) 272-1843. Any

voicemail message left for the examiner must include the name and registration number

of the registered practitioner calling, and the Application/Control (Serial) Number.

Technology Center 2800's general telephone number is (571) 272-2800.

Mark V. Prenty

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